MGN

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE SIDE

WRIT PETITION NO.3184 OF 2007

Late D.R. Bapat Kreeda Pratisthan
Sangli ..Petitioners

Vs.

State of Maharashtra & Ors.....Respondents

Mr.T.S.Ingle for the petitioner
Mr. A.H. Palekar, AGP for respondents 1 and 2.

CORAM : F.I. REBELLO &
R.M.SAVANT, JJ.
DATED : 3RD MAY 2007

P.C.

. The case of the petitioner is that the then Sangli Municipal Council has submitted the resolution for dereservation of plot and forwarded the same to the State Government. No action was taken by the State Government. In the meantime Section 50 of the M.R.T.P. Act was amended. By the said amendment it is not open to the Planning Authority to apply for deletion. Acting on the same by communication of 17th January, 2007 the State Government informed the Corporation that there can be no deletion of the reservation.

2. Merely because in the year 1987 a resolution was passed by itself would not confer any right on the petitioners herein. A right to have accrued if the State Government has taken decision. That decision is now taken. Apart from that the plan is already under revision. It is open to the petitioner to file objections in the D.P. Plan to be revised and it is for the respondents to consider the

same according to law. With the above observations petition disposed of.

(**F.I.REBELLO**, J)

(**R.M. SAVANT,J)**